

(2) If there is a failure to comply with a declaration of intent filed under paragraph (1) of this subsection or a failure to qualify for the farm or agricultural use assessment under § 8-209 of this article during the time that a declaration of intent is in effect, the agricultural land transfer tax that would have been payable at the date of transfer is due plus interest at an annual rate of 12%.

(3) The tax and interest due under paragraph (2) of this subsection are a lien on the agricultural land that was transferred. The tax is due on the earlier date of:

(i) the next date on which property tax on the agricultural land is due under § 10-102 of this article; or

(ii) the date of the next transfer of any part of the agricultural land.]

[(g) (1) An instrument of writing that transfers title to less than 20 acres of agricultural land that is eligible for farm or agricultural use assessment under § 8-209 of this article is subject to the agricultural land transfer tax as provided in paragraph (2) of this subsection, if the transferee:

(i) files with the supervisor before the transfer a declaration of intent to farm the land that specifies that part of the agricultural land:

1. will remain in farm or agricultural use for at least 5 full consecutive taxable years; and

2. is reasonably expected to produce an average annual gross income of \$2,500 based on the nature or type of agricultural activity together with the amount of land that is in farm or agricultural use; and

(ii) applies for farm or agricultural use assessment for part of the agricultural land that is transferred.

(2) The agricultural land transfer tax applies to the value of the land not subject to the declaration of intent, exclusive of the items stated in § 13-304.

(3) For the purpose of paragraph (2) of this subsection, the supervisor:

(i) shall determine the value of the land not subject to the declaration on the date of transfer; and

(ii) give the grantor at the time of transfer a notice of the value of the land, which the grantor may protest as provided by § 8-404 of this article.